



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

Mr. Richard Cate
Sleep Inn
72 Perkins Road
Londonderry, New Hampshire 03053

LETTER OF DEFICIENCY
WMB PBF 04-28
December 6, 2004

Dear Mr. Cate:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Ws 1101-1105 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On November 30, 2004, DES inspected the following public bathing facilities at the Sleep Inn in Londonderry, NH: the indoor pool ("Indoor Pool") and spa ("Spa").

During this inspection, the following deficiencies were noted:

1. Env-Ws 1103.15(c) requires a bromine concentration between 2.0 mg/L and 4.0 mg/L in public pool water. The bromine concentration of the Pool water was 9.3 mg/L on November 30, 2004.
2. Env-Ws 1103.05 requires shower facilities to be provided at all public bathing facilities. There is no shower at the Pool.

The Public Bathing Facility Rules state that:

"Env-Ws 1103.05 Showers.

- (a) Shower facilities shall be provided at all public bathing facilities.*
- (b) One shower for every 40 swimming pool bathers shall be provided.*
- (c) A minimum of one shower for each spa shall be provided.*
- (d) Showers shall be of such design that a safe mixture of hot and cold water can be obtained through a mixing valve.*
- (e) A cleansing shower shall be taken before entering any public bathing facility."*

DES personnel were informed at the time of inspection that quotations had been obtained for the installation of a shower for the Pool. A report outlining how compliance will be achieved with the cited deficiencies should be submitted to DES within 30 calendar days from receipt of this letter. The report should include the following:

1. A scale drawing of where the shower will be situated with respect to the pool.
2. A timetable of when the installation of the shower will be completed

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Ws 1101-1105. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

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We appreciate your cooperation in this matter. Please contact Tim Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Ws 1101-1105 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.state.nh.us/pools/env1100.pdf>.

Sincerely,


Jody Connor
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 7613
Enclosures

cc: ✓ Gretchen R. Hamel, Legal Unit Administrator, DES
Tim Wilson, Public Bathing Facility Coordinator, DES
James Smith, Health Officer, Town of Londonderry

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